

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the )  
Use and Benefit of Herself and the Next Kin of )  
Richard Smith, Deceased, )  
Plaintiff, ) Civil No. 3:05-0444  
v. ) Judge Aleta A. Trauger  
PFIZER, INC., *et al.*, ) (Dist. Of MA No.  
Defendants. ) 1:05-cv-11515PBS)

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF DEFENDANTS'  
OPPOSITION TO PLAINTIFF'S MOTION *IN LIMINE* TO PRECLUDE THE  
TESTIMONY OF ALL DEFENDANTS' EXPERT WITNESSES OTHER THAN DR.  
GIBBONS CONCERNING THE FDA ALERT AND RELATED FDA SUBJECTS OR, IN  
THE ALTERNATIVE, TO PRECLUDE THE TESTIMONY OF DR. GIBBONS**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.
2. Attached as Exhibit A is a true and correct copy of the Supplemental Report of Janet Arrowsmith-Lowe, M.D., dated November 7, 2008.
3. Attached as Exhibit B is a true and correct copy of the Supplemental Report of Alexander Ruggieri, M.D., M.H.S., dated November 8, 2008.
4. Attached as Exhibit C is a true and correct copy of excerpts from the transcript of the deposition of Sheila Weiss Smith, Ph.D., dated December 22, 2008.

Signed under the penalties of perjury this 27<sup>th</sup> day of April 2010.

  
Mark S. Cheffo

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 27<sup>th</sup> day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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/s/ Gerald D. Neenan